

House File 2537 - Introduced

HOUSE FILE 2537

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 210)

A BILL FOR

1 An Act relating to motor vehicles that traverse certain
2 railroad grade crossings against a gate or signal, and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.341, Code 2022, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. *a.* For violations of this section
4 that occur at a railroad grade crossing that has a median
5 barrier and that is established as a quiet zone in accordance
6 with 49 C.F.R. pt. 222, subpt. C, the person may attend and
7 successfully complete, at the person's own expense, a driver
8 improvement program approved by the department in lieu of the
9 fine imposed under section 805.8A, subsection 14, paragraph
10 "h", subparagraph (2). To be eligible, the person shall notify
11 the clerk of court prior to the date of the person's court
12 appearance as indicated on the citation that the person intends
13 to attend and successfully complete a driver improvement
14 program, and shall submit to the clerk of court written
15 verification that the person completed the driver improvement
16 program, signed by the instructor of the program, within ninety
17 days of the violation.

18 *b.* A person who notifies the clerk of court that the person
19 intends to successfully complete a driver improvement program
20 pursuant to paragraph "a", but who does not submit the required
21 written verification that the person successfully completed the
22 driver improvement program to the clerk of court within ninety
23 days of the violation, shall be assessed the fine described in
24 paragraph "a" on the ninety-first day after the violation.

25 Sec. 2. Section 805.8A, subsection 14, paragraph h, Code
26 2022, is amended to read as follows:

27 *h. Railroad crossing violations.*

28 (1) For violations under [sections 321.341, 321.342,](#)
29 [321.343, 321.344,](#) and [321.344B,](#) the scheduled fine is two
30 hundred sixty dollars.

31 (2) However, for violations of section 321.341 that occur at
32 a railroad grade crossing that has a median barrier and that
33 is established as a quiet zone in accordance with 49 C.F.R.
34 pt. 222, subpt. C, the scheduled fine is five hundred twenty
35 dollars.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with
3 the explanation's substance by the members of the general assembly.

3

4 Currently, Code section 321.341 provides that when a person
5 driving a vehicle approaches a railroad grade crossing and
6 a warning is given by automatic signal, crossing gate, or
7 flag person of the immediate approach of a railroad train or
8 railroad track equipment, the driver of the vehicle is required
9 to stop the vehicle within 50 feet but not less than 15 feet
10 from the nearest rail and is prohibited from proceeding until
11 the driver can do so safely. In addition, the driver of a
12 vehicle is required to stop the vehicle and not traverse the
13 railroad grade crossing when the crossing gate is lowered or
14 when a human flagman gives or continues to give a signal of
15 the approach or passage of a railroad train or railroad track
16 equipment. A violation of this provision is punishable by a
17 scheduled fine of \$260.

18 This bill provides that when a violation of Code section
19 321.341 occurs at a railroad grade crossing that has a median
20 barrier and that is established as a quiet zone in accordance
21 with federal regulations, the violation is punishable by a
22 scheduled fine of \$520. However, the bill allows the person to
23 attend and successfully complete, at the person's own expense,
24 a driver improvement program approved by the department of
25 transportation in lieu of the fine. To be eligible, the
26 person must notify the clerk of court prior to the date of
27 the person's court appearance as indicated on the citation
28 that the person intends to attend and successfully complete
29 a driver improvement program, and must submit to the clerk
30 of court written verification that the person completed the
31 driver improvement program, signed by the instructor of the
32 program, within 90 days of the violation. If a person notifies
33 the clerk of court of the person's intent to complete the
34 driver improvement program but fails to submit the required
35 verification of completion within 90 days, the person must be

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I assessed the \$520 fine.